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GEORGE MIFFLIN DALLAS.

The Honorable George Mifflin Dallas was born February 7, 1839, read law in the office of St. George Tucker Campbell, a leader of the Philadelphia Bar, and was admitted to practice in 1860. While a young man, Mr. Dallas was elected a member of the Constitutional Convention of 1872-73. His speeches on the law of libel in Pennsylvania—"The Freedom of the Press"—in that convention attracted attention and were published in pamphlet form. It may be remarked here that Mr. Dallas was an attractive speaker, indeed an orator, with strength of thought, grace of diction and a very agreeable voice. Those who listened to his brief address in the United States court-room on "John Marshall Day," February 4, 1901, and who remembered the appearance of Judge Dallas as an advocate in jury trials, noticed that his powers of elocution had not failed from disuse.

Mr. Dallas practised law for some years in partnership with Mr. George L. Crawford, who was a very able lawyer, and of exceptionally clear judgment. The two men were warm friends and older members of the Bar can readily picture the offices of Crawford and Dallas on South Fourth Street, on the first floor of two adjoining typical Philadelphia houses, where ample room, high ceilings, and shelves filled with law books, seemed the arcana of legal mysteries, but wherein law was practised with great ability and with the observance of professional ethics and personal courtesy according to those traditions which have made the widespread reputation of the Philadelphia lawyer. There was something impressive in such offices, before the days of high buildings, with floor-space rented by the square foot and in the absence of those useful adjuncts, the ever-tinkling telephone and the constantly ticking typewriter. Yet what is dignity contrasted with utility?

An instance of the confidence reposed in Mr. Dallas is to be found in *Gowen's Appeal*, 106 Pa. 288—more fully reported in 10 W. N. C. 85, an interesting and close case in which there was a dissenting opinion by Trunkey, J., concurred in by Sharswood, C. J., and Sterrett, J. The Court of Common Pleas No. 2, of Philadelphia, appointed Mr. Dallas master to preside at and supervise the proceedings at a special meeting of the stockholders of the Philadelphia and Reading Railway, held for the election of officers and managers. The question in the case was whether such election was

invalid by reason of the fact that less than a majority of the stockholders attended in person or by proxy; but there was not any criticism of the master. It was probably as an outcome of his experience in that case that Mr. Dallas delivered an address before the Law Academy, on January 15, 1884, on "The Law of Procedure in Corporation Meetings." There seem to be few publications from his pen, but the conclusion of that paper well may be quoted: "Any portion of the law which relates to corporations may demand your most careful investigation. The number of these artificial persons has grown so great, under liberal statutory provisions for their creation, that it might almost be supposed to be a mandate of the law that they shall increase and multiply; and they form so important a class of our business community that no lawyer can safely omit to instruct himself upon any matter which concerns them; they have become our chief bankers, transporters, manufacturers and miners; they build and navigate our ships; construct and operate our telegraphs; and insure our property and titles, and our lives. They provide graves for our dead bodies, and administer our estates; and, mindful of our immortal part as well they include even the support of public worship within the scope of their beneficence." These statements are fully as pertinent now as they were in 1884. A little wave of sadness creeps over the heart of the reader of the last words.

Mr. Dallas was the special master in the important and voluminous proceedings which were evolved in the first receivership of the Philadelphia and Reading Railroad. He wrote over thirty reports and his judicial qualities were proved by his treatment of the important matters which came before him. It was, therefore, with the hearty concurrence of the profession that he was appointed a judge of the Circuit Court of the United States, with its wide jurisdiction, on March 17, 1892, which position he held until his resignation, March 11, 1909, and it is as a judge that he will specially be remembered. Soon after he went on the bench, he received the degree of LL.D. from Princeton University. In his case this was a deserved honor, for he was indeed *legum doctor*—a teacher of law. In his judicial bearing he was dignified, but free from pomposity, attentive in hearing counsel, free from the criticism, "An over-speaking judge is like an easily bent wand"; combining kindness, patience and courtesy with firmness. A natural gift for mechanics was a help in the consideration of many cases

which came before him in the Federal Court. He had no *cacoethes scribendi* and his opinions were not mere digests. Perhaps one of the most widely known was in *Northern Securities Co. v. Harri-man*, 134 Fed. 331, in which he decided that the question therein involved had not been decided in the great case of the *Northern Securities Co. v. U. S.*, 193 U. S. 197, which discussed and determined the grave question of a combination in restraint of trade and commerce. His opinion was affirmed in *Harriman v. Northern Securities Co.*, 197 U. S. 244. A perusal of his statement of facts and his conclusions will show the distinctive clarity of his mind.

After Judge Dallas ceased his active and successful work he enjoyed his well-earned rest in congenial pursuits and recreations until his physical failure some months ago.

Those who were admitted to his personal friendship were won by the lovable traits which it seemed he could not help displaying in personal association, as well as by his marked humor. He told a funny anecdote in admirable fashion, had the happy faculty of generously enjoying the wit or stories of other men and was absolutely without the pose of those who can appreciate nothing witty that is not of their own utterance, whether it be original or borrowed.

Our community has been blessed by the character, by the citizenship, by the judicial labors, by the personal worth of such a man; and the Law School of the University of Pennsylvania may well be proud of his record as one of its teachers, while those who loved him will never cease to hold his memory in respect and unceasing affection.

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DEATH OF HON. GEORGE MIFFLIN DALLAS; RESOLUTION OF THE FACULTY OF THE LAW SCHOOL.

The entry of a minute in memory of the Honorable George M. Dallas, who died, distinguished and beloved, on January 21, 1917, must be a recital in substance of the sincere tribute paid to him in

*This tribute to the memory of Judge Dallas was prepared by his colleague, Professor Patton, at the request of the Faculty of the Law School.

the year 1906, upon his retirement from active duty as a professor in the Law School. Yet there is comfort in the thought that the expression of esteem and affection was made known to him and not delayed until he had passed from earthly ken.

The regret was then expressed that the Law School had lost the praiseworthy service of a lawyer of great ability, learning and high judicial position, whose reputation had added much to the prestige of this department of the University. When he was sworn in on March 22, 1892, as a judge of the Circuit Court of the United States, under the Act of Congress of March 3, 1891, which brought into existence nine appellate tribunals, an interesting item in the *Legal Intelligencer*, which gave notice of the ceremony, stated that it "was witnessed by a large assemblage of the bar and the students of the Law Department of the University in which Judge Dallas is a professor." This evidence of the regard in which he was held by those who were honored by his instruction was maintained continuously during his entire tenure of his chair, for fifteen years in all.

It is easy to believe that his study as a teacher must have aided him in reaching those clear and logical rulings which marked his career on the bench; and that, on the other hand, his practical administration of the principles of law and nice distinctions on points of evidence were of great value to him in the preparation of his lectures to students.

The following causes of regret were stated:

That our students were deprived of the benefit of his teaching and the example of his dignified and courteous bearing.

That his colleagues of the faculty would no longer have his wise counsel, the fruit of his wisdom and experience, which was so often asked and gladly received and followed.

Yet it was a gratification to know that the Trustees of the University elected Judge Dallas Professor Emeritus, that he accepted that position and that his name and interest would still benefit the University.

Yet beyond all appreciation of his official relation to this School, he evoked and kept, on the part of his colleagues in the faculty, a warm affection, which made the too rare occasions of meeting him since his retirement sources of great pleasure; and it is with unfeigned sorrow that we realize that we shall see his face no more or respond to his genial greetings and feel the influence of the personal charm which has secured him so many friends.